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**TITLE 327 WATER POLLUTION CONTROL BOARD**

**NOTICE OF READOPTION**  
**IC 13-14-9.5 FIRST NOTICE OF COMMENT PERIOD**  
LSA Document #12-261

**READOPTED OF RULES IN TITLE 327 UNDER IC 13-14-9.5**

**PURPOSE OF NOTICE**

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on the readoption of rules in Title 327 of the Indiana Administrative Code under IC 13-14-9.5.

**RULES TO BE READOPTED:** 327 IAC 8-1; 327 IAC 8-3.1; 327 IAC 8-4; 327 IAC 8-6; 327 IAC 8-11; 327 IAC 12.1-1; 327 IAC 12.1-2; 327 IAC 12.1-3; 327 IAC 12.1-4; 327 IAC 12.1-5; 327 IAC 12.1-6; 327 IAC 12.1-7; 327 IAC 12.1-8; 327 IAC 12.1-9; 327 IAC 12.1-10.

The foregoing rules are identified by name as follows:

**ARTICLE 8. PUBLIC WATER SUPPLY**

Rule 1. Public Water Supply Direct Additive and Indirect Additive Standards

Rule 3.1. Permitting Authority of Units for Water Main Extension Construction

Rule 4. Approval of Public Water Supply Plans

Rule 6. Improvements of Public Water Supply Systems or Treatment Works Under Order of the DEM

Rule 11. Water Purification and Treatment Works; Operation; Requirements

**ARTICLE 12.1. PUBLIC RECORDS; CONFIDENTIAL INFORMATION; CONFIDENTIALITY AGREEMENTS**

Rule 1. Purpose and Applicability

Rule 2. Definitions

Rule 3. Access to Public Records

Rule 4. Confidentiality Claims

Rule 5. Types of Confidential Information

Rule 6. Determinations on Claim of Confidentiality

Rule 7. Appeals

Rule 8. Authorized Disclosure of Confidential Information

Rule 9. Wrongful Disclosure Penalties

Rule 10. Confidentiality Agreements

**AUTHORITY:** IC 13-14-9.5.

**SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING**

This rulemaking is required under IC 13-14-9.5, which provides for the expiration and readoption of administrative rules. A rule that was adopted under a provision of IC 13 and was in force on December 31, 1995, expires not later than January 1, 2002. All rules adopted after that date under IC 13-14-9, expire on January 1 of the seventh year after the year in which each rule takes effect. The rules listed to be readopted have an expiration date of January 1, 2013. IDEM has chosen to readopt all affected rules at one time rather than readopt each rule separately as its expiration date approaches.

Under IC 13-14-9.5-4, the department or board that has rulemaking authority under Title 13 may readopt all rules subject to expiration under one rule that lists all rules that are readopted by their titles and subtitles only. If no comments are received during this first comment period, IDEM may submit the rule for filing with the Publisher under IC 4-22-2-35 and publish notice in the Indiana Register that the agency has readopted the rule.

**STATUTORY AND REGULATORY REQUIREMENTS**

IC 13-14-9.5-4 requires that the following procedure be followed to readopt rules:

(1) A notice listing all rules to be readopted by their titles and subtitles shall be submitted to Legislative Services Agency for publication in the Indiana Register.

(2) If a person submits a written request and a basis for the request during the first comment period that a particular rule be readopted separately from the readoption rule that readopts all rules in one rulemaking, the agency must:

(A) readopt that rule separately from the readoption rule; and

(B) follow the procedure for adoption of administrative rules under IC 13-14-9 with respect to that rule.

(3) If no written request is provided within the first comment period, the agency may submit the rule for filing with the Publisher under IC 4-22-2-35 and publish notice in the Indiana Register that the agency has readopted the rule.

## REQUEST FOR PUBLIC COMMENTS

IDEM requests that any written comments requesting that a rule be readopted separately from this readoption rule include a basis for the request. IDEM also solicits comment on rules exempt from readoption and rules to expire. Comments may be submitted in one of the following ways:

(1) By mail or common carrier to the following address:

LSA Document #12-261 (2012 Sunset Readoption)  
MaryAnn Stevens  
Rules Development Branch  
Office of Legal Counsel  
Indiana Department of Environmental Management  
100 North Senate Avenue  
MC 65-41  
Indianapolis, IN 46204-2251

(2) By facsimile to (317) 233-5970. Please confirm the timely receipt of your faxed comments by calling the Rules Development Branch at (317) 233-8903. Please note it is not necessary to follow a faxed comment letter with a copy of the letter submitted through the postal system.

(3) By electronic mail to [mstevens@idem.in.gov](mailto:mstevens@idem.in.gov). To confirm timely delivery of your comments, please request a document receipt when you send the electronic mail. **PLEASE NOTE: Electronic mail comments will NOT be considered part of the official written comment period unless they are sent to the address indicated in this notice.**

(4) Hand delivered to the receptionist on duty at the thirteenth floor reception desk, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, Indiana.

Regardless of the delivery method used, to properly identify each comment with the rulemaking action it is intended to address, each comment document must clearly specify the LSA document number of the rulemaking you are commenting on.

## COMMENT PERIOD DEADLINE

All comments must be postmarked, faxed, or time stamped not later than June 22, 2012. Hand delivered comments must be delivered to the appropriate office by 4:45 p.m. EDT on the above-listed deadline date.

Additional information regarding this action may be obtained from MaryAnn Stevens, Rules Development Branch, Office of Legal Counsel, (317) 232-8635 or (800) 451-6027 (in Indiana).

Nancy King, Chief  
Rules Development Branch  
Office of Legal Counsel

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